

GARRETT COUNTY GOVERNMENT – June 2012
By the Board of County Commissioners “Board”

Department of Economic Development

1. Discussion on a proposed “Fractured Rock Study”, which is planned to complete a statewide assessment of water resources in parts of Maryland. The study would determine water supply resources to provide data and tools “...to ensure that water is allocated and used in a sustainable fashion, without causing ecological damage.”
2. Appalachian Regional Commission FY 2013 Preliminary Project Requests presentation to the Board. A comprehensive review of each project to include County Government matching funds requirement was presented

Department of Financial Services

1. Overview of the Chesapeake Bay Restoration Fee Structure for GC. Legislation passed by the MD General Assembly during the 2012 Session to increase the fee from \$30 to \$60 and excludes properties not in the Bay Watershed from paying the additional amount/fee. It is the legislative responsibility of the County to determine where a qualifying boundary is located.
2. Presentation & Adoption of the FY 2013 Operating and Capital Budget and all applicable tax rates.
3. The Board approved a real property tax abatement for Accident Community Housing Corporation.

Department of Planning & Land Development

1. In furtherance of the *Public Hearing* conducted on May 31, 2012, the Board approved an amendment to the Deep Creek Zoning Ordinance. Chairman Raley voted in opposition to the motion.
2. Update of Legislation that was approved by the Maryland General Assembly during the 2012 Session to include Senate Bill 236 - Sustainable Growth and Agricultural Preservation Act of 2012.
3. The Board executed a Resolution that lists Maryland Agricultural Land Preservation Districts for GC.
4. Update on building codes issues for adoption to include the Federal Emergency Management Administration (FEMA) Flood Map final report; sediment and erosion control standards; and Maryland Building Code as it applied to residential sprinkler systems and Energy Conservation Code Requirements.
5. Year-to-date approved building permits report
6. Decision to proceed with the formal public hearing process for the adoption of the Draft Land Use Ordinance.

Pursuant to section 3.06 of Article 66B, when a local jurisdiction first adopts zoning powers, the Planning Commission is responsible to recommend the boundaries of the original districts and appropriate regulations to be enforced in those districts. - This procedure would be best accomplished by referring the draft ordinance together with a directive from the Board of County Commissioners to the Planning Commission directing the Commission to prepare a "preliminary report" regarding the recommended boundaries and whether the draft regulations within those boundaries are appropriate.

Under this same section of 66B, the Planning Commission is required to hold at least one public hearing on the preliminary report before submitting its final report on the map and regulations to the local governing body.

Following receipt of the Planning Commission's Final Report, the Board may wish to make further modifications to the draft. Once the final draft is complete it can then be published once again and at least one public hearing on the draft regulations would need to be scheduled and conducted. Public notice of the hearing must be made at least 14 days in advance of the hearing

Pursuant to section 4.04 of Article 66B, following the public hearing the Board may adopt the regulations and the ordinance can be effective 10 days following the public hearing.

- *Commissioner Crawford voiced his opinion on what he termed as a need for the Board of County Commissioners to proceed with the public commentary and move the formal process to the Planning Commission.*
- *Commissioner Gatto stated that he thought the Draft Ordinance was too far reaching and focused almost entirely on wind generation and therefore he was not in favor of proceeding with the review and approval process.*
- *Chairman Raley expressed his thoughts on property rights and stated that he wanted to convey to the State of Maryland Legislature to get serious about legislation that would address land use issues that are contained in the Draft Land Use Ordinance. He cannot advance the Draft Land Use Ordinance and he wanted to make one last effort at the State Level.*

Commissioner Crawford entered a motion to forward the Draft Land Use Ordinance to the Planning Commission to initiate the prescribed process. The motion did not receive a second and therefore did not move to a vote of action.

Commissioner Gatto entered a motion to not forward the Draft Land Use Ordinance to the Planning Commission. The motion did not receive a second and therefore did not move to a vote of action

Chairman Raley entered a motion to table forwarding the Draft Land Use Ordinance to the Planning Commission until the Board of County Commissioners can schedule time with the GC Delegation to the Maryland General Assembly in an attempt to address land use matters (i.e. permitting for natural gas drilling and commercial wind generating structures). Commissioner Crawford seconded the motion so that the matter could move forward to discussion. After dialog on the motion by all 3 Board Members, a vote on the motion was taken which did not receive a second; therefore, the motion did not move to a vote of action.

7. The Board approved Chairman Raley to execute a Finding of Facts specific to approval of an Amendment to the DC Watershed Zoning Ordinance that was approved on May 31, 2012.

Department of Public

1. The Board executed a Resolution to refinance debt obligations for the GC Sanitary District, Inc.
2. Execution of a Lease Agreement between the Willows Council of Owners and the GC Sanitary District, Inc.

Purchasing Department

1. Crushed Stone Aggregates. The Board awarded an award to a number of vendors for specific products which are on file with the Purchasing Department.
2. Liquid Asphalt. The Board awarded an award to Hammaker East, LTD for specific unit prices for specific points of delivery which are on file with the Purchasing Department.
3. Chain and Augers. The Board awarded an award to Chemung Supply Corp. for a variety of chain size.
4. The Board approved a bid award for a Self-Propelled Broom Truck to Anderson Equipment Company for total price of \$46,109.
5. Hot Mix Asphalt. The Board approved an award to Keystone Lime Company, Inc. and Belt Paving, Inc. based on specific location of project and mix specification.
6. Fuel Bid. The Board approved an award to Oakland Oil Company for a specified price for a number of products.
7. Filters. The Board approved an award to Lakeview Auto Parts.
8. Custodial Cleaning and Paper Products. The Board approved an award to Janitor Supply Company, A.D. Naylor's, Pyramid School Products, Calico Industries, Inc., Central Poly Corporation, AF Welding, Inc., Mark IV Office Supply, Interboro Packaging Corp., and All American Poly for a specified price for a number of products.
9. Motor Oil and Grease. The Board approved an award to PPC Lubricants for a number of products and specific price.
10. Office Furniture. The Board approved an award to Douron, Inc. Accepted discount on all purchases from Hon Manufacturers price list is 57.3%.
11. Thayerville Water System Contract #1. The Board approved an award to Excavating Associates, Inc. for a total bid price for Section D of \$3,685,659.00 with a requirement to reject all bids under Sections A,B, and C.
12. Thayerville Water System Contract #2. The Board approved an award to Frank Arnold Contractors Inc. for a total bid price of \$791,235.00.
13. Culvert Pipe. The Board approved a contract extension to Chemung Supply Corporation and HD Supply Waterworks.
14. Request for Proposals – Actuarial Consulting Services. The Board approved a contract extension to CBIZ Benefits & Insurance Services, Inc. for a total contract price of \$6,000.
15. Bond Counsel Services. The Board approved a contract extension to McKennon, Shelton & Henn, LLP for contract amount of \$31,000 for Fiscal Year 2013.
16. Request for Proposals – Investment Services – GC Government and Law Enforcement Personnel Retirement Plans. The Board approved a contract extension to First United Bank & Trust
17. Request for Proposals – Inmate Care Services. The Board approved a contract extension to Conmed, Inc. for \$225,926.40 plus per diem rate based on inmate population.
18. Inmate Dental Services. The Board approved a contract extension to the GC Health Department with payment based on the actual amount billed or the Medicaid rate (whichever is less).
19. Electrical Service. The Board approved a contract extension to Evergreen Electrical Company, Inc. for basic labor rates for master electrician at \$38.00 per hour and percentage mark up for materials at 8%.
20. Plumbing Services. The Board approved a contract extension to Rush Services, Inc. for basic labor rates for master plumber at \$55.00 per hour and percentage mark up for materials at 25%.
21. Uniform and Mat Rental Services. The Board approved a contract extension to UniFirst Corporation.

Roads Department

1. Update and status of County roads for the Gran Fondo Event particular Shingle Camp Road.
2. Designation of Harold Brant Road into the County Roads System and provide a temporary easement to Linda Norman for use of the road for adjacent property owners to access property. The Board agreed to proceed with the legal process to approve this which will be referred to the County Attorney.

Ruth Enlow Library

The Board met with staff and representatives from the GC Board of Education, GC Community Action Committee, Inc., Ruth Enlow Library of GC, and residents from the Town of Kitzmiller to discuss the potential use of Kitzmiller Elementary School. The School will be closed at the end of this school year and the facility current houses a branch of the Library and a Head Start Center.

Miscellaneous

1. The Board reviewed a request from the Allegany-Garrett Chapter of the Maryland Municipal League to confirm an appointment to the Board of Directors of Tri-County Council of Western Maryland. The Board confirmed the appointment of Town of Grantsville Mayor Paul Edwards as the municipal representative on the Tri-County Council of Western Maryland.
2. Update on the planning process for the 1st Annual GC Appreciation Day on August 11, 2012 from 10:00 AM to 2:00 PM.
3. Execution of a Fifth Amendment to Lease Agreement between the Board and Mountain Kennels, LLC.
4. Linda Bowerbaugh had questions on the Public Hearing conducted on May 31, 2012 whereby the Board approved an amendment to the DC Zoning Ordinance.
5. Dick Bolt voiced his opinion on commercial wind generation and a variety of related matters.
6. Steven Friend voiced his opinion on commercial wind generation and the recent Amendment to the DC Watershed Zoning Ordinance.
7. Jerry Plauger voiced his opinion on a number of Country Government matters including public notification of meetings.
8. The Board appointed Jenny McNally, Dean Ann Wellham, Jill Horner, and Debbie Ward to the GC Department of Social Services Advisory Board and reappointed Linda Green, Donna McClintock-Fost, and Suzanne Ryan.
9. Execution of a Memorandum of Understanding between the Board of Trustees of Garrett College acting through Adventure Sports Institute of Garret College (ASI) and Adventure Sports Center International, LLC (ASCI).
10. Execution of a Lease Agreement between the Mountainside Homeowners Association and the Board.
11. The Board approved a waiver of landfill tipping fee for Habitat for Humanity Hopeland Village.